

DATE: March 11, 2009

TO: Executive Board
Indiana State Department of Health

FROM: Loren Robertson, M.S., R.E.H.S
Assistant Commissioner
Public Health and Preparedness Commission

SUBJECT: Final Adoption of LSA Document #08-318
Lead in Consumer Products Rule – 410 IAC 29

The Indiana State Department of Health (ISDH) Commission of Public Health and Preparedness respectfully requests the Executive Board, at the Board's March 11, 2009 meeting, finally adopt this proposed rule that amends the existing rule regarding case management and adds language to regulate consumer products that contain lead, pursuant to the authority granted in Senate Enrolled Act 143 (2008).

The rule updates definitions and amends confirmatory blood testing timeframes. The proposed rule adds sections regulating consumer products, requires signage or labeling at retail establishments that sell products that contain or may contain lead, and requires training of employees at retail establishments that sell paint or paint products. These new sections were added pursuant to legislation enacted in 2008 that allow the ISDH to regulate these areas.

The Notice of Intent to Adopt a Rule was published on the Indiana Register on April 30, 2008, starting the one year period in which to adopt this rule. An AROC notice was filed extending the rulemaking for one additional year. The proposed rule was preliminarily adopted by the Executive Board at the July 9, 2008 meeting. Although minor changes have been made based on public comments, the rule has not substantively changed.